

STAYED,TYPE I-FOIA

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:17-cv-00816-TJK**

CENTER FOR BIOLOGICAL DIVERSITY, INC. v. U.S.  
ENVIRONMENTAL PROTECTION AGENCY

Assigned to: Judge Timothy J. Kelly

Case: 1:18-cv-01219-TJK

Cause: 05:552 Freedom of Information Act

Date Filed: 05/03/2017

Jury Demand: None

Nature of Suit: 895 Freedom of  
Information Act

Jurisdiction: Federal Question

**Plaintiff**

**CENTER FOR BIOLOGICAL  
DIVERSITY, INC.**

represented by **Margaret E. Townsend**  
CENTER FOR BIOLOGICAL  
DIVERSITY  
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**LEAD ATTORNEY**  
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**Amy R. Atwood**  
CENTER FOR BIOLOGICAL  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. ENVIRONMENTAL  
PROTECTION AGENCY**

represented by **Marina Utgoff Braswell**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/03/2017	<u>1</u>	COMPLAINT against U.S. ENVIRONMENTAL PROTECTION AGENCY ( Filing fee \$ 400 receipt number 0090-4937296) filed by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons to EPA, # <u>3</u> Summons to U.S Attorney General, # <u>4</u> Summons to U.S. Attorney)(Atwood, Amy) (Entered: 05/03/2017)
05/03/2017	<u>2</u>	Corporate Disclosure Statement by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Atwood, Amy) (Entered: 05/03/2017)
05/03/2017		Case Assigned to Judge Ketanji Brown Jackson. (md) (Entered: 05/04/2017)

05/04/2017	<u>3</u>	GENERAL ORDER AND GUIDELINES FOR CIVIL CASES BEFORE JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Courts instructions for briefing motions and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 5/4/2017. (lckbj1) (Entered: 05/04/2017)
05/04/2017	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 05/04/2017)
05/04/2017	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Margaret E. Townsend, :Firm- Center for Biological Diversity, :Address- P.O. Box 11374. Phone No. - (971) 717-6409. Fax No. - (503) 283-5528 Filing fee \$ 100, receipt number 0090-4940895. Fee Status: Fee Paid. by CENTER FOR BIOLOGICAL DIVERSITY, INC. (Attachments: # <u>1</u> Declaration of Margaret E. Townsend, # <u>2</u> Text of Proposed Order)(Atwood, Amy) (Entered: 05/04/2017)
05/08/2017		MINUTE ORDER granting <u>5</u> Motion for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Margaret E. Townsend is admitted pro hac vice in this matter as counsel for Plaintiff. Ms. Townsend is advised that, if she intends to appear in any additional matters in this Court in the next two years, she must submit a Petition for admission to the Bar of this Court. Signed by Judge Ketanji Brown Jackson on 05/08/2017. (lckbj1) (Entered: 05/08/2017)
05/18/2017	<u>6</u>	NOTICE of Appearance by Marina Utgoff Braswell on behalf of U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 05/18/2017)
05/23/2017	<u>7</u>	AMENDED COMPLAINT against U.S. ENVIRONMENTAL PROTECTION AGENCY filed by CENTER FOR BIOLOGICAL DIVERSITY, INC..(Townsend, Margaret) (Entered: 05/23/2017)
05/23/2017	<u>8</u>	REDACTED DOCUMENT- Redlined First Amended Complaint to <u>7</u> Amended Complaint by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 05/23/2017)
06/02/2017	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/11/2017. Answer due for ALL FEDERAL DEFENDANTS by 6/10/2017. (Atwood, Amy) (Entered: 06/02/2017)
06/02/2017	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/11/2017. (Atwood, Amy) (Entered: 06/02/2017)
06/02/2017	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ENVIRONMENTAL PROTECTION AGENCY served on 5/10/2017 (Atwood, Amy) (Entered: 06/02/2017)
06/06/2017	<u>12</u>	Unopposed MOTION for Extension of Time to File Response/Reply to Amended Complaint by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 06/06/2017)
06/08/2017		MINUTE ORDER granting <u>12</u> Motion for Extension of Time to File Response/Reply. It is hereby ORDERED that Defendant shall answer or otherwise respond to Plaintiff's <u>7</u> Amended Complaint on or before June 28, 2017. Signed by Judge Ketanji Brown Jackson on June 8, 2017. (lckbj2) (Entered: 06/08/2017)
06/28/2017	<u>13</u>	ANSWER to <u>7</u> Amended Complaint by U.S. ENVIRONMENTAL PROTECTION AGENCY. Related document: <u>7</u> Amended Complaint filed by CENTER FOR BIOLOGICAL DIVERSITY, INC..(Braswell, Marina) (Entered: 06/28/2017)
06/29/2017		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall promptly confer and file a joint proposed schedule for briefing or disclosure, on or before 7/13/2017. Signed by Judge Ketanji Brown Jackson on 06/29/2017. (lckbj1) (Entered: 06/29/2017)

07/13/2017	<u>14</u>	Joint STATUS REPORT <i>and PROPOSED SCHEDULE</i> by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 07/13/2017)
07/18/2017		MINUTE ORDER. Based on the representations in the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report on or before 7/28/2017, which shall contain a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 07/18/2017. (lckbj1) (Entered: 07/18/2017)
07/28/2017	<u>15</u>	Joint STATUS REPORT <i>and PROPOSED SCHEDULE</i> by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 07/28/2017)
07/31/2017		MINUTE ORDER. In light of the representations in the parties' <u>15</u> Joint Status Report and Proposed Schedule, it is hereby ORDERED that, on or before October 30, 2017, the parties must submit a joint proposed schedule for further proceedings. Signed by Judge Ketanji Brown Jackson on July 31, 2017. (lckbj2) (Entered: 07/31/2017)
09/15/2017		Case directly reassigned to Judge Timothy J. Kelly. Judge Ketanji Brown Jackson is no longer assigned to the case. (ztnr) (Entered: 09/15/2017)
10/30/2017	<u>16</u>	Joint STATUS REPORT <i>and PROPOSED SCHEDULE</i> by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 10/30/2017)
10/31/2017		MINUTE ORDER: In light of the <u>16</u> Joint Status Report and Proposed Schedule filed by the parties on October 30, 2017, it is hereby ORDERED that the parties shall file a further status report, including a proposed schedule, by November 30, 2017. Signed by Judge Timothy J. Kelly on 10/31/2017. (lctjk1) (Entered: 10/31/2017)
11/01/2017		Set/Reset Deadlines: Status Report due by 11/30/2017 (tj) (Entered: 11/01/2017)
11/30/2017	<u>17</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 11/30/2017)
12/04/2017		MINUTE ORDER: In light of the parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by January 5, 2018. Signed by Judge Timothy J. Kelly on 12/4/2017. (lctjk1) (Entered: 12/04/2017)
01/05/2018	<u>18</u>	Joint STATUS REPORT <i>and PROPOSED SCHEDULE</i> by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 01/05/2018)
01/11/2018		ORDER. In light of the parties' <u>18</u> Joint Status Report and Proposed Schedule, the Court ORDERS that: (1) Defendant shall file its dispositive motion by March 2, 2018; (2) Plaintiff shall file its opposition to Defendant's motion and cross-motion by April 2, 2018; (3) Defendant shall file its opposition to Plaintiff's cross-motion and reply in support of its motion by May 2, 2018; and (4) Plaintiff shall file its reply in support of its cross-motion by May 23, 2018. Signed by Judge Timothy J. Kelly on 1/11/2018. (lctjk1) Modified to add event title on 1/12/2018 (znmw). (Entered: 01/11/2018)
01/11/2018		Set/Reset Deadlines: Dispositive Motions due by 3/2/2018. Response to Dispositive Motions and Cross Motions due by 4/2/2018. Reply to Dispositive Motions and Response to Cross Motions due by 5/2/2018. Reply to Cross Motions due by 5/23/2018. (kh) (Entered: 01/11/2018)
02/26/2018	<u>19</u>	Unopposed MOTION for Extension of Time to File <i>Dispositive Motion</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 02/26/2018)
02/27/2018		MINUTE ORDER granting, for good cause shown, Defendant's <u>19</u> Unopposed Motion for Extension of Time. It is hereby ORDERED that Defendant shall file its dispositive motion by March 16, 2018. Signed by Judge Timothy J. Kelly on 2/27/2018. (lctjk1) (Entered: 02/27/2018)
03/13/2018	<u>20</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 03/13/2018)
03/14/2018		MINUTE ORDER granting Defendant's <u>20</u> Consent Motion for Further Extension of Time. It is hereby ORDERED that the briefing schedule is modified as follows: (1) Defendant shall file its dispositive motion by March 30, 2018; (2) Plaintiff shall file its

		opposition to Defendant's motion and cross-motion by April 30, 2018; (3) Defendant shall file its opposition to Plaintiff's cross-motion and reply in support of its motion by June 8, 2018; and (4) Plaintiff shall file its reply in support of its cross-motion by June 29, 2018. Given that this is the Defendant's third such extension, the Court will look upon subsequent extensions with disfavor unless the parties can point to specific issues that may be narrowed by additional negotiations. Signed by Judge Timothy J. Kelly on 3/14/2018. (lctjk1) (Entered: 03/14/2018)
03/14/2018		Set/Reset Deadlines: Defendant's Dispositive Motion due by 3/30/2018. Response to Dispositive Motion and Cross Motion due by 4/30/2018. Reply to Dispositive Motion and Response to Cross Motion due by 6/8/2018. Reply to Cross Motion due by 6/29/2018. (kh) (Entered: 03/14/2018)
03/27/2018	<u>21</u>	Consent MOTION for Extension of Time to File <i>Dispositive Motion</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 03/27/2018)
03/29/2018		MINUTE ORDER granting Defendant's <u>21</u> Consent Motion for Further Extension of Time. It is hereby ORDERED that the briefing schedule is modified as follows: (1) Defendant shall file its dispositive motion by April 11, 2018; (2) Plaintiff shall file its opposition to Defendant's motion and cross-motion by May 14, 2018; (3) Defendant shall file its opposition to Plaintiff's cross-motion and reply in support of its motion by June 20, 2018; and (4) Plaintiff shall file its reply in support of its cross-motion by July 11, 2018. Signed by Judge Timothy J. Kelly on 3/29/2018. (lctjk1) (Entered: 03/29/2018)
03/30/2018		Set/Reset Deadlines: Dispositive Motions due by 4/11/2018. Response to Dispositive Motions and Cross Motions due by 5/14/2018. Reply to Dispositive Motions and Response to Cross Motions due by 6/20/2018. Reply to Cross Motions due by 7/11/2018. (kh) (Entered: 03/30/2018)
04/11/2018	<u>22</u>	MOTION for Summary Judgment by U.S. ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> White Declaration, # <u>2</u> White Exhibit A, # <u>3</u> White Exhibit B, # <u>4</u> White Exhibit C, # <u>5</u> Jackson Declaration, # <u>6</u> Jackson Exhibit A, # <u>7</u> Jackson Exhibit B, # <u>8</u> Jackson Exhibit D, # <u>9</u> Jackson Exhibit E)(Braswell, Marina) (Entered: 04/11/2018)
05/07/2018	<u>23</u>	Consent MOTION for Extension of Time to File <i>Opposition and Cross-Motion for Summary Judgment</i> by CENTER FOR BIOLOGICAL DIVERSITY, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Townsend, Margaret) (Entered: 05/07/2018)
05/08/2018		MINUTE ORDER granting Plaintiff's <u>23</u> Consent Motion for Extension of Time. It is hereby ORDERED that the briefing schedule is modified as follows: (1) Plaintiff shall file its opposition to Defendant's <u>22</u> motion for summary judgment and cross-motion by May 25, 2018; (2) Defendant shall file its opposition to Plaintiff's cross-motion and reply in support of its motion by July 13, 2018; and (3) Plaintiff shall file its reply in support of its cross-motion by August 3, 2018. Signed by Judge Timothy J. Kelly on 5/8/2018. (lctjk1) (Entered: 05/08/2018)
05/08/2018		Set/Reset Deadlines: Response to Motion for Summary Judgment and Cross Motion due by 5/25/2018. Response to Cross Motion and Reply to Motion for Summary Judgment due by 7/13/2018. Reply to Cross Motion due by 8/3/2018. (kh) (Entered: 05/08/2018)
05/25/2018	<u>24</u>	Cross MOTION for Partial Summary Judgment by CENTER FOR BIOLOGICAL DIVERSITY, INC. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Statement of Facts Response to Defendant's Statement of Facts, # <u>3</u> Declaration Brett Hartl, # <u>4</u> Declaration Margaret E. Townsend, # <u>5</u> Exhibit 1, # <u>6</u> Exhibit 2, # <u>7</u> Exhibit 3, # <u>8</u> Exhibit 4, # <u>9</u> Exhibit 5, # <u>10</u> Exhibit 6, # <u>11</u> Exhibit 7, # <u>12</u> Exhibit 8, # <u>13</u> Exhibit 9, # <u>14</u> Exhibit 10, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14, # <u>19</u> Exhibit 15, # <u>20</u> Exhibit 16, # <u>21</u> Exhibit 17, # <u>22</u> Exhibit 18, # <u>23</u> Exhibit 19, # <u>24</u> Exhibit 20, # <u>25</u> Exhibit 21, # <u>26</u> Exhibit 22, # <u>27</u> Exhibit 23, # <u>28</u> Exhibit 24, # <u>29</u> Exhibit 25, # <u>30</u> Exhibit 26, # <u>31</u> Exhibit 27, # <u>32</u> Exhibit 28, # <u>33</u> Exhibit 29, # <u>34</u> Exhibit 30, # <u>35</u> Exhibit 31, # <u>36</u> Exhibit 32, # <u>37</u> Exhibit 33, # <u>38</u> Exhibit 34, # <u>39</u> Exhibit 35, # <u>40</u> Exhibit 36, # <u>41</u> Exhibit 37, # <u>42</u> Exhibit 38, # <u>43</u> Exhibit 39, # <u>44</u> Exhibit 40, # <u>45</u> Exhibit 41, # <u>46</u> Exhibit 42, # <u>47</u> Text of Proposed Order)(Townsend,

		Margaret) (Entered: 05/25/2018)
05/25/2018	<u>25</u>	Memorandum in opposition to re <u>22</u> MOTION for Summary Judgment filed by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 05/25/2018)
05/25/2018	<u>26</u>	MOTION for Discovery by CENTER FOR BIOLOGICAL DIVERSITY, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Townsend, Margaret) (Entered: 05/25/2018)
06/01/2018	<u>27</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>26</u> MOTION for Discovery by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 06/01/2018)
06/04/2018		MINUTE ORDER granting Defendant's <u>27</u> Unopposed Motion for Extension of Time. It is hereby ORDERED that Defendant shall file its opposition to Plaintiff's <u>26</u> motion for discovery by July 13, 2018. Signed by Judge Timothy J. Kelly on 6/4/2018. (lctjk1) (Entered: 06/04/2018)
06/04/2018		Set/Reset Deadlines: Defendant's opposition due by 7/13/2018. (kh) (Entered: 06/04/2018)
06/08/2018	<u>28</u>	NOTICE of Supplemental Exhibit by CENTER FOR BIOLOGICAL DIVERSITY, INC. re <u>26</u> MOTION for Discovery , <u>24</u> Cross MOTION for Partial Summary Judgment (Attachments: # <u>1</u> Exhibit 43)(Townsend, Margaret) (Entered: 06/08/2018)
06/12/2018	<u>29</u>	NOTICE of Second Supplemental Exhibit by CENTER FOR BIOLOGICAL DIVERSITY, INC. re <u>26</u> MOTION for Discovery , <u>24</u> Cross MOTION for Partial Summary Judgment (Attachments: # <u>1</u> Exhibit 44)(Townsend, Margaret) (Entered: 06/12/2018)
07/11/2018	<u>30</u>	Unopposed MOTION to Amend/Correct Order on Motion for Extension of Time to File Response/Reply, Order on Motion for Extension of Time to File., by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 07/11/2018)
07/16/2018		MINUTE ORDER granting, nunc pro tunc, Defendant's <u>30</u> Unopposed Motion to Amend the Briefing Schedule. Because Defendant has located additional documents that are potentially responsive to Plaintiff's FOIA request, it is hereby ORDERED that the briefing schedule is modified as follows: (1) Defendant shall file a supplemental brief addressing these additional documents, and in support of its motion for summary judgment <u>22</u> , by July 26, 2018; (2) Plaintiff shall file a supplemental brief in support of its opposition, cross-motion, and/or motion for discovery <u>24</u> <u>26</u> , by August 13, 2018; (3) Defendant shall file any reply in support of its motion, and opposition to Plaintiff's cross-motion and motion for discovery, by August 23, 2018; and (4) Plaintiff shall file any reply in support of its cross-motion and motion for discovery by September 24, 2018. Signed by Judge Timothy J. Kelly on 7/16/2018. (lctjk1) (Entered: 07/16/2018)
07/25/2018	<u>31</u>	Joint MOTION to Stay <i>Further Proceedings</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Braswell, Marina) (Entered: 07/25/2018)
07/26/2018		MINUTE ORDER granting the parties' <u>31</u> Joint Motion to Stay Further Proceedings in Both Cases. It is hereby ORDERED that (1) this case is STAYED until further order of the Court, and (2) the parties shall file a joint status report on the status of settlement negotiations by August 15, 2018. Signed by Judge Timothy J. Kelly on 7/26/2018. (lctjk1) (Entered: 07/26/2018)
08/15/2018	<u>32</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Braswell, Marina) (Entered: 08/15/2018)
08/16/2018		MINUTE ORDER: In light of the parties' <u>32</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by September 17, 2018. Signed by Judge Timothy J. Kelly on 8/16/2018. (lctjk1) (Entered: 08/16/2018)
08/16/2018		ENTERED IN ERROR.....MINUTE ORDER: In light of the parties' <u>12</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by September 17, 2018. Signed by Judge Timothy J. Kelly on 8/16/2018. (lctjk1);

		Modified on 8/16/2018 (ztth). (Entered: 08/16/2018)
08/16/2018		NOTICE OF CORRECTED DOCKET ENTRY: re Order, Set Deadlines, was entered in error at the request of Chambers. (tth) (Entered: 08/16/2018)
08/16/2018		Set/Reset Deadlines: Joint Status Report due by 9/17/2018. (kh) (Entered: 08/16/2018)
09/17/2018	<u>33</u>	Joint MOTION for Extension of Time to File <i>Joint Status Report</i> by CENTER FOR BIOLOGICAL DIVERSITY, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Townsend, Margaret) (Entered: 09/17/2018)
09/19/2018	<u>34</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Braswell, Marina) (Entered: 09/19/2018)
09/20/2018		MINUTE ORDER granting the parties' <u>33</u> Joint Motion for Extension of Time. It is hereby ORDERED, for good cause shown and nunc pro tunc to September 17, 2018, that the parties' motion is GRANTED. Under consideration of the Joint Status Report <u>34</u> filed by the parties on September 19, 2018, it is hereby ORDERED that the parties shall file another joint status report by October 19, 2018. Signed by Judge Timothy J. Kelly on 9/20/2018. (lctjk1) (Entered: 09/20/2018)
10/19/2018	<u>35</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 10/19/2018)
10/23/2018		MINUTE ORDER: In light of the parties' <u>35</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by November 19, 2018. Signed by Judge Timothy J. Kelly on 10/23/2018. (lctjk2) (Entered: 10/23/2018)
10/23/2018		Set/Reset Deadlines: Joint Status Report due by 11/19/2018 (kh) (Entered: 10/23/2018)
11/19/2018	<u>36</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 11/19/2018)
11/20/2018		MINUTE ORDER: In light of the parties' <u>36</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by January 4, 2019. Signed by Judge Timothy J. Kelly on 11/20/2018. (lctjk2) (Entered: 11/20/2018)
01/29/2019		MINUTE ORDER: Per the Court's Minute Order of November 20, 2018, the parties were instructed to file a joint status report by January 4, 2019. The parties did not do so. Accordingly, it is hereby ORDERED that the parties shall file a joint status report, including an explanation as to why the parties could not comply with the Court's order nor seek an extension, no later than February 19, 2019. Signed by Judge Timothy J. Kelly on 1/29/2019. (lctjk2) (Entered: 01/29/2019)
02/15/2019	<u>37</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 02/15/2019)
02/15/2019		MINUTE ORDER: In light of the parties' <u>37</u> Joint Status Report, it is hereby ORDERED that the parties shall file another joint status report by April 5, 2019. Signed by Judge Timothy J. Kelly on 2/15/2019. (lctjk1) (Entered: 02/15/2019)
04/05/2019	<u>38</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 04/05/2019)
04/08/2019		MINUTE ORDER: In light of the parties' <u>38</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by May 3, 2019. Signed by Judge Timothy J. Kelly on 4/8/2019. (lctjk2) (Entered: 04/08/2019)
05/01/2019	<u>39</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 05/01/2019)
05/02/2019		MINUTE ORDER: In light of the parties' <u>39</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by June 17, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 5/2/2019. (lctjk2) (Entered: 05/02/2019)
06/14/2019	<u>40</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 06/14/2019)

06/17/2019		MINUTE ORDER: In light of the parties' <u>40</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by July 23, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 6/17/2019. (lctjk2) (Entered: 06/17/2019)
07/23/2019	<u>41</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 07/23/2019)
07/24/2019		MINUTE ORDER: In light of the parties' <u>41</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by August 23, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 7/24/2019. (lctjk2) (Entered: 07/24/2019)
08/23/2019	<u>42</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY, INC.. (Townsend, Margaret) (Entered: 08/23/2019)
08/26/2019		MINUTE ORDER: Upon consideration of the parties' <u>42</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report by October 8, 2019, unless a stipulation of dismissal is filed before then. Signed by Judge Timothy J. Kelly on 10/8/2019. (lctjk2) (Entered: 08/26/2019)